HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE D. APPA RAO

WRIT PETITION No.21367 of 2007

Date: 08-10-2007.

Between :

M/s.N.Radhakrishna Reddy & Company, Hyderabad,
Rep. by its Managing Partner.

.....Petitioner

And

The Commercial Tax Officer, Punjagutta Circle,
Hyderabad & others.

.....Respondents.

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal before the Tribunal, application for stay has been rejected by the 3rd respondent. We have gone through the record. We feel that the interests of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks from today. For four weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same

shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

8th October 2007.

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D. APPA RAO, J

ajr